

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

MEL TYRONE EDWARD,

Plaintiff,

No. 2:03-cv-02584 ALA (P)

vs.

STEPHEN SCARSELLA,

Defendant.

ORDER

On October 15, 2007, Plaintiff Mel Edward, proceeding in pro se, filed two motions: 1) a “Motion to Obtain Attendance of Incarcerated Witness for Trial, Who Agree to Testify Voluntarily”; and, 2) a “Motion to Obtain Attendance of Unincarcerated Witness Who Agrees to Testify Voluntarily.” (Doc. No. 108). On August 12, 2008, Plaintiff, who is now represented by counsel, responded to this Court’s order regarding the status of these motions by requesting that these pending motions be withdrawn or denied without prejudice. (Doc. No. 214).

Based on the foregoing it is hereby ORDERED that Plaintiff’s motions (Doc. No. 108) are DENIED without prejudice.

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DATED: August 13, 2008

/s/ Arthur L. Alarcón
UNITED STATES CIRCUIT JUDGE
Sitting by Designation